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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,238	10/31/2003	Kazuo Okada	SHO-0046	9021
23353 7590 12/14/2007 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER HSU, RYAN	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 12/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/697,238	Applicant(s) OKADA ET AL.	
	Examiner Ryan Hsu	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In response to the amendments filed on 10/30/07, claims 1, 3-4, and 8 have been amended. Claims 1 and 3-13 are pending in the current application.

Terminal Disclaimer

The terminal disclaimer filed on 10/30/07 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 10/697,027 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muir et al. (US 2005/0192090 A1) and further in view of Seitz (WO 00/49332).

Regarding claims 1 and 3, Muir et al. discloses a gaming machine comprising a variable display in a form of a plurality of reels operative for rotating about a common axis of rotation where each reel has a plurality of symbols extending about an outer periphery of the reel (*see reels [16] Fig. 8 and the related description thereof*). Additionally, Muir discloses the game machine to comprise of an electric display device disposed in front of the variable display device in a forward direction and an illumination device illuminating the electric display panel from behind (*see Fig. 8 and the related description thereof*). Furthermore, Muir teaches the electric display to include a flat electric display panel for displaying an image, the electric display having

a flat back face and a light guiding plate disposed apart from yet adjacent to the back face and between the electric display panel and the variable display device (*see Fig. 8 and the related description thereof*). The light guiding plate is taught to have an opposing pair of flat surfaces and a plurality of contiguous side faces extending therebetween and peripherally about the pair of flat surfaces, the light guiding plate operative for guiding light entered from at least one side face thereof to the back face of the electric display panel so as to irradiate the light, the light guiding plate having a plurality of openings corresponding to the plurality of reels for showing forward-most ones of the symbols therethrough (*see Fig. 9 and the related description thereof*). Although Muir does teach the illumination of the electric display from behind it does not specifically teach an illumination device having a plurality of light emitting diodes (*see paragraph 0051-0053*) aligned continuously along and adjacent to the at least one side face of the light guiding plate.

In an analogous display patent, Seitz teaches of a light guiding plate wherein the display is illuminated using a plurality of light emitting diodes aligned continuously along and adjacent to at least one side face of the light guiding plate (*see pg. 4-5*). One would be motivated to incorporate the backlighting display of Seitz into that of Muir because known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the light emitting diodes of Seitz with that of Muir to illuminate the electric display.

Regarding claim 5 and 7, Seitz teaches a gaming machine that comprises a diffusion sheet, wherein the plurality of light emitting diodes oppose a back face of the diffusion sheet (*see pg. 3-5*).

Regarding claim 6, Muir teaches a gaming machine that comprises a diffusion sheet wherein the diffusion sheet is disposed between the electric display and the illumination device (*see Fig. 8 and the related description thereof*).

Regarding claim 8, Muir teaches a gaming machine wherein the light guiding plate is disposed between the electric display device and the variable display device; the illumination device is disposed between the electric display device and the variable display device and the illumination device is operable for illuminating the electric display panel from therebehind via the light guiding plate (*see Fig. 8 and the related description thereof*).

Regarding claim 10, Muir teaches a gaming machine wherein the light guiding plate is disposed between the electric display device (*see Fig. 8 and the related description thereof*).

Regarding claim 11, Muir teaches a gaming machine wherein the electric display device displays the image in accordance with the progress of a game which is executed in the gaming machine and the light emitting diodes are controlled in accordance with the progress of the game which is executed in the gaming machine (*see Fig. 6-7 and the related description thereof*).

Regarding claims 12-13, Muir teaches an electric display device that displays the image in accordance with the progress of a game which is executed in the gaming machine and the light emitting diodes are controlled in accordance with the progress of the game which is executed in the gaming machine (*see 0027-0029, 0047-0053, [0061-0066]*).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ozaki et al. (US 7,204,753 B2) – Pattern Display Device and Game Machine Including the Same.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Hsu whose telephone number is (571)272-7148. The examiner can normally be reached on 9 :00-17:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



RH
December 11, 2007



ROBERT E. PEZZUTO
SUPERVISORY PRIMARY EXAMINER